

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT REPAIR OR REPLACEMENT OF EMPLOYEES' PERSONAL PROPERTY	Number 35.70	Issue 3	Page 1 of 7
	Effective Date September 30, 1987		

1. PURPOSE

- 1.1 To state City policy and outline procedures for reimbursing employees for the repair or replacement of personal property. Employee is defined as a person whose name appears on an official City Time sheet for payroll purposes.

2. POLICY

- 2.1 Employees will be reimbursed for the repair or replacement of personal property damaged in the course of employment and performance of their assigned duties.
- 2.2 The option to repair or replace damaged items, and to determine whether replaced property will be returned to employee, rests with the City.
- 2.3 The intent of this regulation is to permit reimbursement for the repair or replacement of such items as eye glasses, hearing aids, dentures, watches, personal professional equipment or articles of clothing if necessarily worn or carried by the employee in the course of his employment. Reimbursement shall be authorized only when the damage is caused by extraordinary circumstances which arise out of the employment, and not from normal hazards or ordinary wear and tear. This policy extends to both field and office personnel, but is not intended to cover such field incidents as trousers torn during performance or normal duties, or such office mishaps as snagged stockings.

3. EXCLUSIONS - This Administration Regulation does not apply to:

- 3.1 Losses by mysterious disappearance or theft.
- 3.2 Losses of precious or semiprecious stones from settings in watches, eye glasses and other normally utilitarian items or losses to pieces of personal jewelry.

(Supersedes Administrative Regulation 35.70, Issue 2, dated March 17, 1986)

Authorized

(Signed by John Lockwood)

CITY MANAGER

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- 3.3 Losses to any automobile, vehicle, trailer, motorcycle or any equipment thereto.
- 3.4 Losses to employee's property while in the care, custody and control of others.
- 3.5 Losses to employee's property of others while in the care, custody and control of the employee.
- 3.6 Losses of money.
- 3.7 Losses resulting from acts of negligence or deliberate destructive acts on the part of the employee.
- 3.8 Losses resulting from ordinary wear and tear incidental to normal use and employment.

4. MISREPRESENTATION AND FRAUD

- 4.1 The reimbursement provisions of this Administrative Regulation shall be void if the employee has concealed or misrepresented any material fact or circumstance concerning the subject of the loss, his/her interests therein, or in the case of any fraud or false statements by the employee relating thereto.

5. VALUATION

- 5.1 Upon acceptance of the claim, the City shall not be liable beyond the actual cash value of the employee's property at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value with proper deduction for depreciation, however caused, and shall in no event exceed what it would then cost to repair or replace the employee's property with a reasonable replacement. An example of the latter would be reimbursement for designer eye glasses; the City will only be obligated for reasonable replacement costs as established through a market survey.

6. RECOVERY

- 6.1 If in the event of any loss or damage, the employee shall acquire any right of action against any individual, firm or corporation for loss or damage to property covered by this Administrative Regulation, the employee assigns and transfers to the City, at the City's option, all such rights of action to the extent of the amount paid, and will permit suit to be brought in the employee's name under the direction of and at the expense of the City.

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7. INSURANCE

- 7.1 If there is any other valid and collectible insurance which would apply in the absence of this Administrative Regulation, the benefits afforded by this Regulation shall apply only as excess benefits over such others as afforded by said policies of insurance. It shall be the duty of the employee to apply for such coverage for losses under valid and existing insurance policies as he/she may maintain.

8. PROCEDURE

<u>Responsibility</u>	<u>Action</u>
Employee	<ol style="list-style-type: none">1. As soon as practical after damage is incurred, complete appropriate portion of Form RM-1557 "Request for Reimbursement for Loss to Personal Property." Submit original and three (3) copies, along with the damaged item, to Department/Division Head. Retain a copy.2. Immediately report all damages and losses resulting from vehicular accidents, physical violence, robbery, and burglary to the Police Department.
Department/Division Head	<ol style="list-style-type: none">3. Make appropriate investigation to insure that the claim is legitimate, and the information appearing on Form RM-1557 is complete and correct.4. Complete appropriate portion of Form RM-1557, and submit original and two (2) copies, along with the damaged item, to Risk Management Claims and Insurance Division. Retain one copy.

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<u>Responsibility</u>	<u>Action</u>
Risk Management Claims and insurance Division	1. Determine amount to be reimbursed to employee. 2. Complete appropriate portion of Form RM-1557. 3. Prepare Form AC-468, "Request for Direct Payment." 4. Send original of Form AC-468 and RM-1557 to Auditor. Retain one copy of Form AC-468 and two copies of Form RM-1557.
Auditor & Comptroller	5. Process Form AC-468; prepare and forward warrant-check to Claims and Insurance Division as indicated on Form AC-468.
Risk Management Claims and Insurance Division	6. Forward warrant-check, one copy for Form RM-1557, and damaged item to Department/Division Head. 7. Close file.
Department/Division head	8. Deliver warrant-check and damaged item to employee. 9. File Form RM-1557.

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Responsibility

Action

DISAPPROVED CLAIMS

Risk Management
Claims and Insurance
Division

1. Complete appropriate portion of Form RM-1557.
2. Send original and one copy of Form RM-1557, with damaged item, to Department/Division Head.

Department/Division Head

3. Give original of Form EM-1557 and damaged item to employee. File copy.

IF A DISAPPROVED CLAIM, OR THE AMOUNT OF AN APPROVED CLAIM, IS APPEALED.

Employee

1. Prepare a memo to the City's Labor Relations Manager, via Department/Division Head, stating reason for appeal. Send original and two copies of memo, and copy of Form RM-1557, to Department/division Head. Retain one copy of memo. Do not forward damaged item.

Department/Division Head

2. Send original and one copy of memo, and copy of Form RM-1557 to City's Labor Relations Manager. Retain one copy of memo.

City's Labor Relations Manager

3. Review the denied claim Form RM-1557 along with the City employees appeal memo to determine the validity of the claim, requesting additional investigation or documentation on an as needed basis. Note approval or disapproval of the claim on original and copy of memo.

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Responsibility

Action

4. If approved, send original and copy of memo, and copy of Form RM-1557, to Risk Management (for processing under steps 1 through 9 for Approved Claims).
5. If disapproved, send original and copy of memo and copy of Form RM-1557, to Risk Management (for processing under steps 2 and 3 for Disapproved Claims).

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APPENDIX

Forms Involved

Form AC-468 - Request for Direct Payment

Form RM-1557 - Request for Reimbursement for Loss to Personal Property

Subject Index

Claims – Employees' Personal Property

Damages – Employees' Personal Property